

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH, WILDLIFE AND PARKS

Call to Order: Chairman Kendall Van Dyk, on February 12, 2009 at 3:16 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Kendall Van Dyk, Chairman (D)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. Dave McAlpin, Vice Chairman (D)
Rep. Dick Barrett (D)
Rep. Paul Beck (D)
Rep. Carlie Boland (D)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Jill Cohenour (D)
Rep. Mike Milburn (R)
Rep. Mike Miller (R)
Rep. Jesse O'Hara (R)
Rep. Ken Peterson (R)
Rep. Mike Phillips (D)
Rep. JP Pomnichowski (D)
Rep. Cary Smith (R)
Rep. Ted Washburn (R)

Members Excused: None.

Members Absent: Rep. Jeffery Welborn (R)

Staff Present: Bryce Bennett, Committee Secretary
Doug Sternberg, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HJ 15; HB 210; HB 218; HB 443;
HB 527

Executive Action: HB 51; HB 382; HB 383

HEARING ON HB 527

Opening Statement by Sponsor:

00:00:13 Rep. Scott Sales (R), HD 68, opened the hearing on
HB 527, Special big game tag drawn for hunter safety
instructors.

Proponents' Testimony: None

Opponents' Testimony:

00:01:37 George Golie, Montana Wildlife Federation

Informational Testimony:

00:03:44 Chris Smith, Chief of Staff, Department of Fish,
Wildlife, and Parks (FWP)
[EXHIBIT\(fih33a01\)](#)

Questions from Committee Members and Responses:

00:05:49 Rep. O'Hara
00:06:23 Rep. Sales
00:06:58 Chairman Van Dyk
00:07:18 Mr. Smith
00:07:27 Chairman Van Dyk
00:07:34 Mr. Smith
00:07:42 Chairman Van Dyk
00:08:26 Rep. Sales
00:08:37 Chairman Van Dyk
00:08:41 Rep. Sales
00:09:25 Rep. Peterson
00:10:23 Mr. Smith
00:11:56 Rep. Peterson
00:12:16 Mr. Smith
00:12:53 Rep. Peterson
00:12:58 Doug Sternberg, Legislative Services Division (LSD)

Closing by Sponsor:

00:13:58 Rep. Sales

HEARING ON HB 218

Opening Statement by Sponsor:

00:14:26 Rep. Mike Menahan (D), HD 82, opened the hearing on
HB 218, Generally revise fish and game laws.

[EXHIBIT\(fih33a02\)](#)

Proponents' Testimony:

00:23:13 Jim Kropp, Chief, Enforcement Division, FWP

[EXHIBIT\(fih33a03\)](#)

00:29:22 Mr. Golie

00:29:54 Jean Johnson, Montana Game Warden's Association/
Montana Outfitters and Guides Association

00:30:37 Gene Falseth, Montana Trappers Association

00:30:54 Ken Swinton, self

Opponents' Testimony:

00:32:39 John Hughes, self

[EXHIBIT\(fih33a04\)](#)

00:36:33 Rep. Welborn arrived.

00:39:15 Jay Bodner, Montana Stock Growers Association

00:41:29 Bob Sheppard, self

[EXHIBIT\(fih33a05\)](#)

Informational Testimony:

00:39:58 Edward Hebbe, self

Questions from Committee Members and Responses:

00:43:11 Rep. Washburn

00:43:43 Mr. Kropp

00:44:14 Rep. Washburn

00:44:34 Mr. Kropp

00:44:50 Rep. Washburn

00:45:01 Mr. Kropp

00:45:20 Rep. Miller

00:45:43 Rep. Menahan

00:46:02 Rep. Peterson

00:46:39 Rep. Menahan

00:47:41 Rep. Smith

00:48:12 Mr. Kropp
00:48:37 Rep. Smith
00:48:43 Mr. Kropp
00:49:06 Rep. Smith
00:49:14 Mr. Kropp

Closing by Sponsor:

00:49:39 Rep. Menahan

HEARING ON HB 443

Opening Statement by Sponsor:

00:52:47 Rep. Mike Menahan (D), HD 82, opened the hearing on
HB 443, Clarify FWP authority to manage species.

Proponents' Testimony:

00:55:09 Mr. Smith

[EXHIBIT\(fih33a06\)](#)

01:01:58 Steve Forrest, World Wildlife Fund

01:03:05 Jonathon Proctor, Defenders of Wildlife

01:05:08 Janet Ellis, Montana Audubon

[EXHIBIT\(fih33a07\)](#)

Opponents' Testimony: None

Informational Testimony:

01:07:44 Dan Sullivan, Montana Culture

Questions from Committee Members and Responses:

01:08:20 Rep. Peterson

01:08:56 Rep. Menahan

01:09:09 Rep. Peterson

Closing by Sponsor:

01:09:23 Rep. Menahan

01:09:34 Chairman Van Dyk asked Vice Chairman McAlpin to take
over as temporary Chairman.

HEARING ON HB 210

Opening Statement by Sponsor:

01:10:28 Rep. Mike Phillips (D), HD 66, opened the hearing on
HB 210, Generally revise conservation and fishing
license laws.

Proponents' Testimony:

01:14:03 Joel Stienmetz, self

[EXHIBIT\(fih33a08\)](#)

01:18:21 Jim Jacobsen, Montana American Legion

01:18:59 Mac Minard, self

Opponents' Testimony: None

Informational Testimony:

01:20:06 Mr. Smith

Questions from Committee Members and Responses:

01:21:48 Rep. Miller

01:22:20 Hank Warsech, License Bureau Chief, FWP

01:22:51 Rep. Washburn

01:23:33 Mr. Warsech

01:23:52 Rep. Washburn

01:24:16 Mr. Warsech

Closing by Sponsor:

01:24:46 Rep. Phillips

01:25:12 Rep. Van Dyk resumed as Chairman.

HEARING ON HJ 15

Opening Statement by Sponsor:

01:26:19 Rep. Mike Milburn (R), HD 19, opened the hearing on
HJ 15, Study resolution on funding for a recreation and
tourism enhancement program.

Proponents' Testimony:

01:31:04 Mr. Golie

Opponents' Testimony: None

Informational Testimony:

01:32:20 Chas Van Genderen, Administrator, Parks Division, FWP

Questions from Committee Members and Responses:

01:32:46 Rep. Washburn

01:33:35 Rep. Milburn

01:33:57 Rep. Phillips

01:34:12 Rep. Milburn

Closing by Sponsor:

01:34:32 Rep. Milburn

01:35:16 Chairman Van Dyk made committee announcements.

EXECUTIVE ACTION ON HB 51

01:36:17 **Motion:** Rep. Cohenour moved that **HB 51 DO PASS.**

01:36:50 Break

01:42:55 Reconvene

01:43:25 **Motion:** Rep. Cohenour moved that **HB 51 BE TABLED.**

01:43:38 **Vote:** Motion carried 13-5 by roll call vote with Rep. Boniek, Rep. Milburn, Rep. Peterson, Rep. Smith, and Rep. Washburn voting no. Rep. Beck voted by proxy.

01:44:11 Chairman Van Dyk

EXECUTIVE ACTION ON HB 382

01:46:13 **Motion:** Rep. Cohenour moved that **HB 382 DO PASS.**

Discussion:

01:46:48 Rep. Washburn

01:46:57 **Motion:** Rep. Van Dyk moved that **HB 382 BE AMENDED.**

EXHIBIT(fih33a09)

Discussion:

01:50:07 Rep. Washburn
01:50:12 Rep. Smith
01:50:26 Chairman Van Dyk
01:50:56 Rep. Peterson called the question on the amendment.

01:51:05 **Vote:** Motion carried unanimously by voice vote.

01:51:23 **Motion:** Rep. Washburn moved that **HB 382 BE TABLED.**

01:51:37 **Vote:** Motion failed 6-12 by roll call vote with Rep. Barrett, Rep. Boland, Rep. Peterson, Rep. Pomnichowski, and Rep. Washburn voting aye. Rep. Beck voted by proxy.

Discussion:

01:53:19 Rep. Miller
01:53:40 Mr. Sternberg
01:53:51 Rep. Miller
01:54:03 Mr. Sternberg
01:54:15 Chairman Van Dyk
01:55:08 Rep. McAlpin
01:55:40 Rep. Hamilton
01:55:54 Chairman Van Dyk

01:56:00 Rep. Peterson moved that **HB 382 BE AMENDED.**
EXHIBIT(fih33a10)

01:56:04 Rep. Peterson moved that the question be divided,
+removing sections 1 and 2 from the amendment.

Discussion:

01:56:35 Rep. Cohenour
01:56:50 Mr. Sternberg
01:57:53 Rep. Cohenour called the question on the motion.

01:57:58 **Vote:** Motion carried unanimously by voice vote.

01:58:13 Rep. Cohenour called the question on the amendment

01:58:22 **Vote:** Motion carried unanimously by voice vote.

Discussion:

01:58:39 Rep. Peterson
01:59:01 Mr. Sternberg

02:00:05 **Motion:** Rep. Cohenour moved that **HB 382 DO PASS AS AMENDED.**

Discussion:

02:00:16 Rep. Cohenour called the question on HB 382.

02:00:23 **Vote:** Motion passed 14-4 with Rep. Barrett, Rep. Peterson, and Rep. Pomnichowski voting no. Rep. Beck voted by proxy.

EXECUTIVE ACTION ON HB 383

02:01:46 **Motion:** Rep. Cohenour moved that **HB 383 DO PASS.**

02:02:31 **Motion:** Rep. Van Dyk moved that **HB 383 BE AMENDED. EXHIBIT (fih33a11)**

Discussion:

02:04:48 Rep. Pomnichowski

02:05:00 Rep. Smith

02:05:25 Rep. Pomnichowski

02:06:04 Rep. Cohenour

02:06:40 Rep. McAlpin called the question on the amendment.

02:06:45 **Vote:** Motion carried 15-3 by voice vote with Rep. Boniek, Rep. Peterson, and Rep. Smith voting no. Rep. Beck voted by proxy.

02:07:07 **Motion:** Rep. Cohenour moved that **HB 383 DO PASS AS AMENDED.**

Discussion:

02:07:15 Rep. Peterson

02:08:32 Rep. Barrett

02:09:12 Rep. Peterson

02:09:48 Chairman Van Dyk

02:10:12 Rep. Phillips

02:10:51 Rep. Cohenour

02:11:17 Rep. Welborn

02:11:28 Rep. Welborn called the question on HB 383.

02:11:34 **Vote:** Motion carried 16-2 by voice vote with Rep. Boniek and Rep. Peterson voting no. Rep. Beck voted by proxy.

ADJOURNMENT

Adjournment: 5:28 P.M.

Bryce Bennett, Secretary

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Additional Exhibits:

Office of the Governor

Additional Documents:

EXHIBIT ([fih33aad.pdf](#))